

House File 614

H-1366

Amend House File 614 as follows:

1. Page 1, before line 1 by inserting:

<DIVISION I

FIREWORKS REGULATION>

2. Page 2, line 26, by striking <four> and inserting <eight>

3. Page 2, line 30, by striking <two> and inserting <four>

4. Page 2, line 34, by striking <two> and inserting <four>

5. Page 4, line 24, by striking <seller license>

6. Page 4, line 27, by striking <seller license>

7. Page 4, line 28, by striking <seller license>

8. Page 4, line 32, after <section> by inserting <and section 100.19A>

9. Page 4, line 35, after <3> by inserting <and the fees collected by the state fire marshal under section 100.19A for wholesaler registration>

10. Page 5, after line 16 by inserting:

<Sec. \_\_\_\_\_. NEW SECTION. 100.19A Consumer fireworks wholesaler — registration — penalty.

1. For purposes of this section:

a. "*Consumer fireworks*" means first-class consumer fireworks and second-class consumer fireworks, as those terms are defined in section 100.19.

b. "*Wholesaler*" means a person who engages in the business of selling or distributing consumer fireworks for the purpose of resale in this state.

2. The state fire marshal shall adopt rules to require all wholesalers to annually register with the state fire marshal. The state fire marshal may also adopt rules to regulate the storage or transfer of consumer fireworks by wholesalers and to require wholesalers to maintain insurance.

3. The state fire marshal shall establish an annual registration fee of one thousand dollars for wholesalers of consumer fireworks within the state. Registration fees collected pursuant to this section shall be deposited in the consumer fireworks fee fund created in section 100.19, subsection 6.

4. A person who violates a provision of this section or a rule adopted pursuant to this section is guilty of a simple misdemeanor.>

11. Page 6, line 9, by striking <resolution suspend the use of display> and inserting <ordinance or resolution limit or restrict the use of consumer fireworks or display>

12. Page 6, line 11, after <safety> by inserting <or private property, or if the board determines that the use of such devices would constitute a nuisance to

1 neighboring landowners>  
2 13. Page 6, line 18, by striking <resolution  
3 suspend> and inserting <ordinance or resolution  
4 prohibit>  
5 14. Page 6, by striking lines 20 through 22 and  
6 inserting <novelties, as described in section 727.2.>  
7 15. Page 8, line 10, by striking <suspended by a  
8 resolution> and inserting <prohibited or limited by an  
9 ordinance>  
10 16. Page 8, lines 30 and 31, by striking <suspended  
11 by a resolution> and inserting <prohibited or limited  
12 by an ordinance>  
13 17. Page 9, by striking lines 23 and 24 and  
14 inserting <misdemeanor. A court shall not order  
15 imprisonment for violation of this subsection.>  
16 18. Page 10, by striking lines 4 and 5 and  
17 inserting:  
18 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
19 of this Act, being deemed of immediate importance,  
20 takes effect upon enactment.  
21 DIVISION \_\_\_\_  
22 RULEMAKING  
23 Sec. \_\_\_\_\_. EMERGENCY RULES. The state fire  
24 marshal shall adopt emergency rules under section  
25 17A.4, subsection 3, and section 17A.5, subsection 2,  
26 paragraph "b", to implement the provisions of this  
27 Act and the rules shall be effective immediately upon  
28 filing unless a later date is specified in the rules.  
29 Any rules adopted in accordance with this section shall  
30 also be published as a notice of intended action as  
31 provided in section 17A.4.  
32 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. This division  
33 of this Act, being deemed of immediate importance,  
34 takes effect upon enactment.>  
35 19. Title page, line 2, by striking <and providing  
36 penalties> and inserting <, providing fees and  
37 penalties, and including effective date provisions>  
38 20. By renumbering as necessary.

---

WINDSCHITL of Harrison